

CONNECTICUT LAW REVIEW

VOLUME 43

JULY 2011

NUMBER 5

Article

Critical Race Theory of Society

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Kimberlé Williams Crenshaw's Twenty Years of Critical Race Theory: Looking Back To Move Forward calls for a broader definition of CRT and for the next phase of this movement to embrace scholars from a multitude of disciplines. The tradition of critical theories of race in the social sciences is intimately related to the CRT Movement developed in the law. The social sciences are an important part of the realization of Crenshaw's aspirations. This Article argues that Crenshaw's call is visionary and a necessary step for researchers interested in the end of white supremacy and the elevation of the human sciences and human rights and equality.

ARTICLE CONTENTS

I. INTRODUCTION.....	1575
II. A TRADITION OF CRITICAL THEORIES OF RACE IN THE SOCIAL SCIENCES	1577
III. THE CRITICAL RACE THEORY MOVEMENT WITHIN THE TRADITION.....	1583
IV. TOWARD A CRITIQUE OF THE POST-RACIAL BLINDNESS.....	1587



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TUKUFU ZUBERI*

I. INTRODUCTION

As a social scientist, I have always been concerned with social justice; as such, I have been distinctly interested in the development of social movements to transform society. In *The Matter of Color* by A. Leon Higginbotham, Jr.¹ and Derrick Bell's *And We Are Not Saved*² helped me appreciate the historical hypocrisy of American democracy and law. It was the Critical Race Theory (CRT) movement, however, pioneered by the likes of Kimberlé Williams Crenshaw and others, that began to institutionalize the critical questioning of the intellectual assumptions of White supremacy in law.³ This movement parallels the tradition in the social sciences of working for human rights and social justice, and against racism, sexism, and other forms of oppression. I would like to take this opportunity to consider the tradition of critical theories of race in the social sciences, and how this tradition might be related to the CRT movement that developed in the law. In this way, I will be able to comment on the two central enquiries pursued by Crenshaw in her article, *Twenty Years of*

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¹ See A. LEON HIGGINBOTHAM, JR., *IN THE MATTER OF COLOR: RACE AND THE AMERICAN LEGAL PROCESS* 390 (1978) (recounting *inter alia* that the United States was created with the notion that all men are created equal yet "began its experiment in self-government with a legacy of more than one-half million enslaved [B]lacks—persons denied citizenship and enslaved . . . solely as a matter of color").

² See DERRICK BELL, *AND WE ARE NOT SAVED: THE ELUSIVE QUEST FOR RACIAL JUSTICE* 7 (1987) (discussing the "Constitutional Contradiction" and "the concerns that likely led even those Framers opposed to slavery to sanction its recognition in a Constitution whose Preamble pledges to 'secure the Blessings of Liberty to ourselves and our Posterity'").

³ See, e.g., *CRITICAL RACE THEORY: THE CUTTING EDGE*, at xv–xvi (Richard Delgado & Jean Stefancic eds., 2d ed. 2000) (observing that CRT "challeng[es] racial orthodoxy, shak[es] up the legal academy, question[s] comfortable liberal premises, and lead[s] the search for new ways of thinking about [the United States'] most intractable, and insoluble, problem—race"); *CRITICAL RACE THEORY: THE KEY WRITINGS THAT FORMED THE MOVEMENT*, at xiii (Kimberlé Crenshaw et al. eds., 1995) [hereinafter *CRITICAL RACE THEORY: THE KEY WRITINGS*] ("As we conceive it, Critical Race Theory embraces a movement of . . . scholars . . . whose work challenges the ways in which race and racial power are constructed and represented in American legal culture and, more generally, in American society as a whole.").

*Critical Race Theory: Looking Back To Move Forward.*⁴ In her article, Crenshaw calls for a broader definition of CRT and for the next phase of this movement to embrace scholars from disciplines other than law.⁵ I will begin my comments by considering the conditions and traditions in the social sciences that could facilitate the realization of this possibility. Next, I will discuss how the CRT movement is a powerful and innovative companion of the critical traditions of race research in the social sciences. I will conclude by explaining how I agree with Crenshaw's call for a common, and necessarily contentious, direction of critical scholarship of race beyond the post-racial movement of colorblind intellectual folly.

The social sciences are the study of both the relationship between individuals and the agglomeration of individuals. The various disciplines that make up the social sciences are part of what Foucault referred to as "the sciences of man."⁶ The knowledge produced within the social sciences is implicated in the intersection of systems of oppression within matrices of domination.⁷ The social sciences produce knowledge about "others" as "deviants" from the "norm," which is defined as White, heterosexual, bourgeois, and male. Furthermore, social science researchers, in the main, have sought to define inferior others of color as deviant.⁸ To the extent that African Americans and other people of color

⁴ Kimberlé Williams Crenshaw, *Twenty Years of Critical Race Theory: Looking Back To Move Forward*, 43 CONN. L. REV. 1253 (2011) [hereinafter Crenshaw, *Twenty Years*].

⁵ *Id.* at 1260–62.

⁶ MICHEL FOUCAULT, *THE ORDER OF THINGS: AN ARCHAEOLOGY OF THE HUMAN SCIENCES* 364–65 (Pantheon Books 1970) (1966); Tukufu Zuberi & Eduardo Bonilla-Silva, *Telling the Real Tale of the Hunt: Toward a Race Conscious Sociology of Racial Stratification*, in WHITE LOGIC, WHITE METHODS: RACISM AND METHODOLOGY 329, 330 (Tukufu Zuberi & Eduardo Bonilla-Silva eds., 2008).

⁷ See 2 PATRICIA HILL COLLINS, *BLACK FEMINIST THOUGHT: KNOWLEDGE, CONSCIOUSNESS, AND THE POLITICS OF EMPOWERMENT* 221–29 (1990) (asserting that "[k]nowledge is a vitally important part of the social relations of domination and resistance" and discussing the significance of reconceptualizing race, class, and gender as interlocking systems of oppression); DOROTHY ROSS, *THE ORIGINS OF AMERICAN SOCIAL SCIENCE* 472 (1991) ("However much the social sciences deny the normative character of their presumably scientific theories, such theories necessarily construct worldviews, and most often they are propagated as worldviews. For most of this century social scientists have been engaged in uncovering the impersonal webs of influence that shape urban industrial society in America."); Eduardo Bonilla-Silva & Tukufu Zuberi, *Toward a Definition of White Logic and White Methods*, in WHITE LOGIC, WHITE METHODS, *supra* note 6, at 3, 15–19 [hereinafter Bonilla-Silva & Zuberi, *Toward a Definition*] (arguing that White dominance in the field of sociology has led to an inherently White perspective on sociological research and methodology); Kimberlé Williams Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, in CRITICAL RACE THEORY: THE KEY WRITINGS, *supra* note 3, at 357, 357–58 (focusing on the impact of the intersecting patterns of racism and sexism).

⁸ See FOUCAULT, *supra* note 6, at 380–87 (2002); TUKUFU ZUBERI, *THICKER THAN BLOOD: HOW RACIAL STATISTICS LIE* 73 (2001) ("Widely read eugenic books . . . present a range of arguments on the benefits of using a biological model to explain social differences in society, especially the 'deviant' behavior of the poor and marginalized. Thus, the eugenicists have attempted to explain social differences in crime, wealth, test scores, and social dislocation by reference to presumed intellectual aptitudes. Racial and class differences are thought to be a reflection of more fundamental differences in intellectual and moral capacity."); Tukufu Zuberi, *Sociology and the African Diaspora Experience*,

have been studied in the disciplines of the social sciences, they have been studied with women and everyday workers as groups of savage deviant peoples who are problematic.⁹

II. A TRADITION OF CRITICAL THEORIES OF RACE IN THE SOCIAL SCIENCES

The social sciences matured and came into existence “at the same time that African enslavement ended and colonialism matured in Africa, Asia, and the Americas.”¹⁰ Historically, “[w]omen and people of color might be the objects of study,” but they were “[not] part of the mainstream of the social sciences.”¹¹ As marginalized scholars, women and people of color often engaged the academy as agents of change.¹² They were concerned with challenging the existing hierarchies and with transforming the perspectives of the social scientists themselves. I make this point so that we recognize that CRT existed before it was named. The emergence of CRT as a scholarly and political movement is a fundamentally important moment of this articulation. As such, CRT may be borne out of “a left intervention into race discourse and a race intervention into left discourse;”¹³ it is encased, however, in a larger struggle against the aggressions of White supremacy. There is no doubt that CRT is one of the most important developments in recent times. CRT establishes the fundamental role that the law plays in the maintenance of racial hierarchy,

in A COMPANION TO AFRICAN-AMERICAN STUDIES 246, 250–51 (Lewis R. Gordon & Jane Anna Gordon eds., 2006) [hereinafter Zuberi, *African Diaspora*] (arguing that the Eurocentric perspective in the social sciences views African Americans as racialized “others” (internal quotation marks omitted)).

⁹ See LEE D. BAKER, FROM SAVAGE TO NEGRO: ANTHROPOLOGY AND THE CONSTRUCTION OF RACE, 1896–1954, at 14–15, 219 (1998) (noting that one of the theories used to continue the enslavement of African Americans was “the idea that Negroes were like children who needed direction, discipline, and the parentlike care of a master,” and that present day opposing images of Blacks—“successful assimilated minority and ‘gangster-welfare mother’—serve to bifurcate prejudice along class lines”); HOMI K. BHABHA, THE LOCATION OF CULTURE 70 (1994) (“The objective of colonial discourse is to construe the colonized as a population of degenerate types on the basis of racial origin, in order to justify conquest and to establish systems of administration and instruction.”); W.E.B. DU BOIS, BLACK RECONSTRUCTION IN AMERICA: AN ESSAY TOWARD A HISTORY OF THE PART WHICH BLACK FOLK PLAYED IN THE ATTEMPT TO RECONSTRUCT DEMOCRACY IN AMERICA, 1860–1880, at 711–13 (Antheneum Publishers 7th ed. 1977) (1935) (noting that a study of contemporary textbooks revealed that Blacks were deemed, among other things, ignorant, lazy, dishonest, extravagant, and responsible for poor government during the Reconstruction era); ZUBERI, THICKER THAN BLOOD, *supra* note 8, at 88 (“Many sociologists [around the turn of the twentieth century] assumed European racial superiority. It was this cultural perspective of European superiority that came to replace biological justifications of race. The move from eugenic to cultural arguments was a move from one type of essentialist perspective, the biological evolutionary, to another type of essentialist perspective, the cultural. This shift witnessed the birth of assimilation and a focus on unproductive behavior of the unassimilated as a dominant perspective—in a word, a return to viewing the ‘Negro as a problem.’”).

¹⁰ Zuberi, *African Diaspora*, *supra* note 8, at 246.

¹¹ *Id.*

¹² See *id.* at 248–49 (noting that Africans and their descendants as well as women published scholarly works that creatively challenged social oppression).

¹³ CRITICAL RACE THEORY: THE KEY WRITINGS, *supra* note 3, at xix.

and it offers an opportunity to imagine processes that challenge these systems of domination.

The antecedent ideas for CRT existed in the social sciences long before the intellectual movement in law. In fact, the critical tradition among African Diaspora populations existed long before the creation of the social sciences. The written liberation narratives of the enslaved and the "appeals" from "free" individuals of African descent in the Americas is a tradition worthy of consideration. The scholars surviving the experience of enslavement established an analytical foundation for a response to social oppression.¹⁴ This tradition was the product of men and women who spoke and wrote against the enslavement of Africans and White supremacy. It began before the end of African enslavement in the nineteenth century and traces to Quobna Ottobah Cugoana, David Walker, Robert Alexander Young, Maria W. Stewart, Martin R. Delany, Edward Blyden, Alexander Crummell, Henry M. Turner, and Frederick Douglass, among others.¹⁵

¹⁴ See 1 ST. CLAIR DRAKE, *BLACK FOLK HERE AND THERE: AN ESSAY IN HISTORY AND ANTHROPOLOGY* 1-4 (1990) (describing the development of the "[B]lack perspective" in the narratives of late-nineteenth and early-twentieth century scholars).

¹⁵ Zuberi, *African Diaspora*, *supra* note 8, at 248-49. One of the first appeals was written in February 1829 by Robert Alexander Young. ROBERT ALEXANDER YOUNG, *THE ETHIOPIAN MANIFESTO: ISSUE IN DEFENCE OF THE BLACK MAN'S RIGHTS IN THE SCALE OF UNIVERSAL FREEDOM* (1829). In the autumn of 1829, David Walker privately published his own appeal. DAVID WALKER, *DAVID WALKER'S APPEAL TO THE COLOURED CITIZENS OF THE WORLD, BUT IN PARTICULAR, AND VERY EXPRESSLY, TO THOSE OF THE UNITED STATES* (1829). *Walker's Appeal* "presented a militant indictment of racism and enslavement with a call to arms." Zuberi, *African Diaspora*, *supra* note 8, at 249. It was followed shortly thereafter by Nat Turner's insurrection in Southampton County, Virginia. *Id.* "The less educated and less sophisticated enslaved population" did not produce any similar Appeals as such, but, for these individuals, "the stor[ies] of their lives were appeals for social justice." *Id.* The slave autobiographies were personal accounts "of what freedom meant, how to achieve it, and a personal appeal to end the cruelties [of] slavery." *Id.* After the publication of various other autobiographies, the autobiography became one of the most important literary genres in the response to racist narratives of the African place and role in modern society. *E.g.*, HENRY BIBB, *NARRATIVE OF THE LIFE AND ADVENTURES OF HENRY BIBB, AN AMERICAN SLAVE* (1849); WILLIAM W. BROWN, *NARRATIVE OF WILLIAM W. BROWN, AN AMERICAN SLAVE* (1847); FREDERICK DOUGLASS, *NARRATIVE OF THE LIFE OF FREDERICK DOUGLASS, AN AMERICAN SLAVE* (1845); 1 OLAUDAH EQUIANO, *THE INTERESTING NARRATIVE OF THE LIFE OF OLAUDAH EQUIANO, OR GUSTAVUS VASSA, THE AFRICAN* (1789); HARRIET A. JACOBS, *INCIDENTS IN THE LIFE OF A SLAVE GIRL* (1861); SOLOMON NORTHUP, *TWELVE YEARS A SLAVE: NARRATIVE OF SOLOMON NORTHUP, A CITIZEN OF NEW-YORK, KIDNAPPED IN WASHINGTON CITY IN 1841, AND RESCUED IN 1853, FROM A COTTON PLANTATION NEAR THE RED RIVER, IN LOUISIANA* (1853); MOSES ROPER, *A NARRATIVE OF THE ADVENTURES AND ESCAPE OF MOSES ROPER FROM AMERICAN SLAVERY* (1838). The autobiographical tradition among the formerly enslaved began as an oral tradition, and evolved into the written form as a strategy for meeting a wider audience and having a more lasting effect on the audience. "Fugitives" made most of these accounts from enslavement. Those who had purchased their freedom or had been manumitted produced another type of reminiscence of enslavement. Names such as Henry Watson, Lunsford Lane, Isaac Jefferson, Peter Randolph, Austin Steward, and Richard Allen—the founder of the African Methodist Episcopal Church—are but a few in this less-well-known tradition. For more on the autobiographical tradition among the formerly enslaved, see SLAVE TESTIMONY: TWO CENTURIES OF LETTERS, SPEECHES, INTERVIEWS, AND AUTOBIOGRAPHIES (John W. Blassingame ed., 1977) and Houston A. Baker, Jr., *Introduction to FREDERICK DOUGLASS, NARRATIVE OF THE LIFE OF FREDERICK DOUGLASS, AN AMERICAN SLAVE* 7, 8-9 (Penguin Books 1982) (1845). On the continuation of this tradition among African-American scholars, see V.P. FRANKLIN, *LIVING OUR STORIES, TELLING OUR*

Despite this critical tradition between the oppressed colonial and enslaved subjects, the social sciences developed at a time when there was a need for scientific justification of racial stratification.¹⁶ The Emancipation Proclamation and amendments to the U.S. Constitution all gave more clarity to the idea of democracy as promoting human equality. The continued existence of racial stratification in society and a racial hierarchy in both political and economic matters necessitated a justification in this new era of democracy. This situation did not give birth to objectivity in the analysis of race, nor did it allow the social sciences to reflect on the critical tradition already present in the nineteenth century. The social sciences developed theories and methods of analysis that helped justify racial stratification.¹⁷

Following the integration of a few scholars of color, the social sciences remained disciplines that supported White supremacy.¹⁸ Integration of the social sciences was not done for the purpose of transforming sociological theory or methods; indeed, many social scientists of color and women who integrated the discipline became "White scholars with Black faces."¹⁹ This fact led critical social scientists to a tradition that challenged these claims, a tradition that was isolated from the prestige of mainstream academia.

The social sciences have always had their critical theorists of race.²⁰ These individuals' specific confrontations in the various disciplines of social science (economics, political science, sociology, and anthropology) derived from the intellectual foundations of the social movements with which they identified, such as the anti-lynching campaigns, the Suffragist and Feminist Movements, Pan-Africanism, Black Power, Civil Rights,

TRUTHS: AUTOBIOGRAPHY AND THE MAKING OF THE AFRICAN-AMERICAN INTELLECTUAL TRADITION (1995). "By far the most impressive and important of the ex-bondsmen's autobiographies was that of Frederick Douglass. Douglass's *Narrative*, written during the American Literary Renaissance, was as important as Herman Melville's *Moby-Dick* (1851) and Henry David Thoreau's *Walden* (1854) in the literature of nineteenth-century America." Zuberi, *African Diaspora*, *supra* note 8, at 249–50.

¹⁶ See Zuberi, *African Diaspora*, *supra* note 8, at 246 (noting, for instance, that sociology "matured and came into its own at the same time that African enslavement ended and colonialism matured in Africa, Asia, and the Americas," and that the social sciences "focus[ed] on arriving at generalities that were presumed to govern human behavior").

¹⁷ Bonilla-Silva & Zuberi, *Toward a Definition*, *supra* note 7, at 16.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ For example, in the United States this tradition has been represented by women such as Ida B. Wells, Joyce Ladner, Patricia Hill Collins, Margaret Anderson, France Winddance Twine, Julianne Malveaux, and Jane Addams; men of color such as W.E.B. Du Bois, Abram Harris, Jr., Oliver C. Cox, Aldon Morris, James Blackwell, Thomas Pettigrew, Charles V. Willie, Michael Omi, Cedric J. Robinson, Ronald W. Walters, Harold Cruse, Thomas D. Boston, William Darity Jr., James B. Stewart, Eduardo Bonilla-Silva; and a few white men such as Howard Winant, Joe R. Feagin, Robert Blauner, Charles Lemert, and Craig Calhoun challenged white supremacist standards early on, and offered more nuanced interpretations of human inequality and dignity in society. This list is not meant to be encyclopedic. THOMAS D. BOSTON, *A DIFFERENT VISION: AFRICAN AMERICAN ECONOMIC THOUGHT* (1997); COLLINS, *supra* note 7, at 25; Bonilla-Silva & Zuberi, *Toward a Definition*, *supra* note 7, at 16–17, 19, 339; Zuberi, *African Diaspora*, *supra* note 8, at 257–61.

anti-racism, and other struggles for human equality and dignity.²¹ Indeed, W.E.B. Du Bois, Ida B. Wells, Aimé Césaire, C.L.R. James, Frantz Fanon, Anna Julia Cooper, Oliver C. Cox, and E. Franklin Frazier could all be categorized as critical Pan-African scholars of race, yet they did not singularly define their tradition as a movement in the same way that the critical race theorists have in law.

An assimilationist perspective dominates the sociology of race.²² "From this perspective, [non-Whites] represent a problem of social assimilation."²³ The majority of sociologists "pursue social science research without any reservations as to the influence of race and the market economy" on their perspective. These studies often only produce statistics of racial differences, which are used to justify continued racial stratification and denying the humanity of non-Whites.²⁴ "Trends within the assimilationist perspective range from the moralizing of various writers through research on segregation, and social and economic stratification."²⁵

Over the course of his life, W.E.B. Du Bois served as a leading challenger of the views of assimilationism and a leading figure in the rise of the African-centered perspective:

Du Bois would advance a creative critical perspective that became African centered. For example, he published [*Darkwater: Voices From Within the Veil* (1920);] *Black Reconstruction in America* (1935); *Black Folk: Then And Now* (1939); *An Essay in the History And Sociology of the Negro Race* (1939); [*Color and Democracy* (1945);] and *The World and Africa: An Inquiry into the Part Which Africa Played in World History* (1946). In this body of work Du Bois focused on historical case studies that presented the complexity of racial stratification [and democracy and economic exclusion]. In this work we find a perspective that is heavily influenced by the work of Karl Marx, but which also adds the importance of African and other colored and oppressed persons. The mature Du Bois expressed in his

²¹ Zuberi, *African Diaspora*, *supra* note 8, at 250–51.

²² See JAMES B. MCKEE, SOCIOLOGY AND THE RACE PROBLEM: THE FAILURE OF A PERSPECTIVE 6–7, 121–24 (1993) (describing the influence of the concept of assimilation in sociological studies of race relations); Tukufu Zuberi, *The Population Dynamics of the Changing Color Line*, in PROBLEM OF THE CENTURY: RACIAL STRATIFICATION IN THE UNITED STATES 145, 145–47 (Elijah Anderson & Douglas S. Massey eds., 2001) (observing how "[a]ssimilation and racial stratification define the dynamics of race"); Zuberi, *African Diaspora*, *supra* note 8, at 252 ("The assimilationist perspective presents the major social problem as a problem of social integration of deviant segments of society.").

²³ Zuberi, *African Diaspora*, *supra* note 8, at 252.

²⁴ ZUBERI, THICKER THAN BLOOD, *supra* note 8, at 106 ("Social statistics have been used to justify racial stratification. Among social statisticians an implicit tendency to accept the underlying logic of racial reasoning has developed.").

²⁵ Zuberi, *African Diaspora*, *supra* note 8, at 252.

work a long tradition of intellectual reinsertion of the African place in society as an actor. The older Du Bois's sociological work presents a counter-narrative to the assimilationist perspective, especially regarding the role that African people played in the formation of modern society.

For Du Bois, to understand modern society it is essential to understand the African. The flaw of Eurocentrism is that it provides a corrupt picture of the human experience. By ignoring the contributions of Africa—and we might add Asia and America—Eurocentrism made Europe the model for the world without fully understanding the world.

The rise of African-centered perspectives coincides with the rise of Pan-Africanism. As Drake notes, scholars [in this tradition] “see their struggles as not only involving [B]lack people everywhere but also as being organically related to Third World struggles generally and to the worldwide struggle of proletariat and peasantry regardless of race.”²⁶

The voices in this tradition varied from Sojourner Truth in her oral presentations in support of the humanity of women and African Americans²⁷ to Ida B. Wells in her historic fight against White supremacist brutalities²⁸ to Anna Julia Cooper in her courageous efforts to identify class and gender dimensions of racial domination within the African-American community.²⁹ Various texts and journals marked the parameters of this debate worldwide. These texts would include W.E.B. Du Bois's *The World and Africa: An Inquiry into the Part Which Africa Has Played in World History* (1946); Jean-Paul Sartre's essay *Black Orpheus* (1948); Richard Wright's *Black Power: A Record of Reactions in a Land of Pathos* (1954); Amié Césaire's *Discourse on Colonialism* (1955); George Padmore's *Pan-Africanism or Communism?: The Coming Struggle for Africa* (1956); Albert Memmi's *The Colonizer and the Colonized* (1957); Richard Wright's *White Man, Listen!* (1957); and journals such as *The Crisis*, *The Journal of Negro History*, *Présence Africaine*, *La Revue du Monde Noir*, and *African Revolution*.

Like the abolitionists before them, scholars advocating this perspective

²⁶ *Id.* at 255.

²⁷ Sojourner Truth, “Ain’t I a Woman?” Address at Women’s Convention, Akron, Ohio (Dec. 1851), in MOD. HIST. SOURCEBOOK, <http://www.fordham.edu/halsall/mod/sojtruth-woman.html> (last visited Apr. 20, 2011).

²⁸ Lee D. Baker, *Ida B. Wells-Barnett and Her Passion for Justice*, DUKE UNIV. (Apr. 1996), <http://www.duke.edu/~ldbaker/classes/AAIH/caaih/ibwells/ibwbkgd.html>; see also PAULA J. GIDDINGS, *IDA: A SWORD AMONG LIONS* (2008); IDA B. WELLS-BARNETT, *ON LYNCHINGS: SOUTHERN HORRORS, LYNCH LAW IN ALL ITS PHASES* (1892).

²⁹ ANNA JULIA COOPER, *THE VOICE OF ANNA JULIA COOPER* (Charles Lemert & Esme Bhan eds., 1998).

facilitated a response to the injustices of colonialism and the marginalization of Africa and its descendants. This perspective, however, does not provide an adequate critique of the hegemonic structural-functional objective of social science that predominates the assimilationist perspective.³⁰ By prioritizing class over race, some critical theorists have been blind to creative modes and forms of social change. For example, many critical sociologists, like Oliver C. Cox, suggested that the possibility of a nationalist movement was slim in a racially stratified society like the United States, but were optimistic about nationalism in Africa. Cox, for instance, noted that "Negro Americans will probably never become nationalistic; the numerical balance of the races will not allow the development of nationalistic antagonism on the part of the colored people. . . . Yet it is fairly certain that African Negroes in every continental colony will in time develop nationalism."³¹ As we know, however, the Civil Rights and Black Power Movements resulted in the Civil Rights Bill in 1957 and forced the passage of the Civil Rights Acts in 1964, and 1966.³² The National Liberation Movement ended the classical form of European colonialism in most of Africa. At the same time, it is important to recall that the success of the Civil Rights Movement and the passage of various Civil Rights bills and acts were not necessarily in line with the aspirations of the Black Power Movement.³³ This contradiction between the Black Power Movement and the Civil Rights Movement can help us understand the limits of the assimilationist project. Scholars like W.E.B. Du Bois, George Padmore, and Frantz Fanon participated in the efforts to create and support National Liberation Movements, and in the cause of the Civil Rights Movement in the United States. Efforts such as theirs produced a critique of how race was studied by the major disciplines.³⁴ Yet, the assimilationist perspective continues to preclude any consideration of the social effects of the Black Power Movement in the United States, Caribbean, Latin America, and the anti-colonial movement

³⁰ See MCKEE, *supra* note 22, at 3-4 (describing the shortcomings in sociological studies of race relations and noting that "sociologists of race relations [have failed] to understand fully their own object of study").

³¹ OLIVER CROMWELL COX, *CASTE, CLASS, AND RACE: A STUDY IN SOCIAL DYNAMICS* 403 (1948).

³² MARY FRANCES BERRY, *BLACK RESISTANCE WHITE LAW: A HISTORY OF CONSTITUTIONAL RACISM IN AMERICA* 140, 159, 170 (1971).

³³ See KWAME TURE & CHARLES V. HAMILTON, *BLACK POWER: THE POLITICS OF LIBERATION IN AMERICA* 50-53 (Vintage Books 1992) (1967) (describing the differences between the meanings and objectives of the Civil Rights and Black Power Movements and noting that the civil rights laws were "effectively nullified by deliberately weak enforcement").

³⁴ See St. Clair Drake, *Diaspora Studies and Pan-Africanism*, in *GLOBAL DIMENSIONS OF THE AFRICAN DIASPORA* 341, 380 (Joseph E. Harris ed., 1st ed. 1982) (advising that "rather than in the major African studies programs . . . diaspora studies have their best chance of flourishing as a cooperative activity between Afro-American, African and West Indian scholars and those nonblack scholars who wish to be associated with them").

in Africa. The point was epitomized by the debate around the work of Michael Hanchard by Pierre Bourdieu and Loïc Wacquant.³⁵

III. THE CRITICAL RACE THEORY MOVEMENT WITHIN THE TRADITION

By focusing on racial power within society, CRT is a clear modern articulation of the earlier twentieth century critique of the foundation of western rationality that is the basis of White logic. It is important to recognize that at the current moment the social sciences continue to be dominated by a White logic of analysis, methods, and theories;³⁶ the same might be argued for law as well. Much of the critical perspective presents a fusion of “left” philosophy and “right” social analysis. That is, most critical analysis does not focus on the survival and freedom of human beings, nor does it suggest a different future. Often, critical vision has proven to be more ideological and less transformative. It is important for a critical perspective to creatively embrace what can be.³⁷ What is needed is a critique of the hegemonic structural-functional objective social science (as suggested by Alvin Gouldner’s *The Coming Crisis of Western Sociology*³⁸ and Jürgen Habermas’s *The Theory of Communicative*

³⁵ See Pierre Bourdieu & Loïc Wacquant, *On the Cunning of Imperialist Reason*, THEORY, CULTURE & SOC’Y, Feb. 1999, at 41, 44 (observing that, “by applying North American racial categories to the Brazilian [*racismo mascarado*] situation, [Hanchard] makes the particular history of the US Civil Rights Movement into the universal standard for the struggle of all groups oppressed on grounds of colour (or caste)); Michael Hanchard, *Acts of Misrecognition: Transnational Black Politics, Anti-Imperialism and the Ethnocentrism of Pierre Bourdieu and Loïc Wacquant*, THEORY, CULTURE & SOC’Y, Aug. 2003, at 5, 5–7 (stating that Bourdieu and Wacquant identify the author and other U.S. scholars with reproducing and disseminating U.S. cultural imperialism in these scholars’ analyses of Brazilian race relations and comparison of it to the U.S. Civil Rights Movement); Michael Hanchard, *Afro-Modernity: Temporality, Politics, and the African Diaspora*, 11 PUB. CULTURE 245, 245, 257–67 (1999) (concluding that “[w]hether in the form of the nation-state or universal ideas about human rights, [B]lack nationalism, and racial as well as other modes of collective identity have invariably reacted against or innovated upon discourses of modernity,” and exploring this contention through studies of race relations and civil rights movements in the Caribbean and South America, Ghana, and the United States).

³⁶ Bonilla-Silva & Zuberi, *Toward a Definition*, *supra* note 7, at 17–18 (“White logic, then, refers to a context in which White supremacy has defined the techniques and processes of reasoning about social facts. White logic assumes a historical posture that grants eternal objectivity to the views of elite Whites. . . . Therefore, White logic operates to foster a ‘debilitating alienation’ among the racially oppressed, as they are thrown ‘into a world of preexisting meanings as [people] incapable of meaning making.’” (alteration in original) (citations omitted)); see also Zuberi & Bonilla-Silva, *Telling the Real Tale*, *supra* note 6, at 330–32 (pointing out flaws in White logic and stating that, “[r]ather than leading to a science of objectivity, White logic has fostered an ethnocentric orientation”).

³⁷ See ROBIN D.G. KELLEY, *FREEDOM DREAMS: THE BLACK RADICAL IMAGINATION*, at xii (2002) (“I conceived *Freedom Dreams* as a preliminary effort to recover ideas—visions, fashioned mainly by those marginalized [B]lack activists who proposed a different way out of our constrictions.”).

³⁸ See ALVIN W. GOULDNER, *THE COMING CRISIS OF WESTERN SOCIOLOGY* 3 (1970) (“The criticism and transformation of society can be divorced only at our peril from the criticism and transformation of theories about society.”).

*Action*³⁹) and the poststructuralist and anticolonialist perspectives of Frantz Fanon, Aimé Césaire, Michel Foucault, and Edward Said.⁴⁰ This reflexivity suggests a more creative critical perspective, as reflected in the early work of diverse scholars such as Oliver C. Cox⁴¹ and Fanon.⁴² For many modern sociologists, the 1973 classic volume edited by Joyce A. Ladner, entitled *The Death of White Sociology*, reinvigorated the tradition of critical thought in the social sciences.⁴³ Scholars within this perspective have sought to interrogate the social ideals and facts as self-reflective researchers.

More recently, scholars have begun to undermine the scientific claims of the social sciences generally by engaging in both the methodological and theoretical dimensions of the disciplines.⁴⁴ This critique is also reflected in the theoretical work represented by stratification economics,⁴⁵

³⁹ See 1 JÜRGEN HABERMAS, *THE THEORY OF COMMUNICATIVE ACTION*, at xli–xliv (Thomas McCarthy trans., Polity Press 1986) (1984) (integrating historical and systematic investigations into the author’s analysis).

⁴⁰ See Lewis R. Gordon, *Theorizing Race and Racism in an Age of Disciplinary Decadence*, SHIBBOLETHS: J. COMP. THEORY, 2006, at 20, 20–26.

⁴¹ See COX, *supra* note 31, at ix, xi, xvi–xvii (criticizing previous works for being “too highly philosophical and abstract” and stating that the characteristics of a caste system “[are] so important as a basis for an understanding of other types of social systems” that the entire first part of the book is dedicated to it).

⁴² See FRANTZ FANON, *BLACK SKIN, WHITE MASKS* 10–11 (Charles Lam Markmann trans., 1967) (undertaking a psychological analysis, yet observing that “the effective disalienation of the [B]lack man entails an immediate recognition of social and economic realities”).

⁴³ *THE DEATH OF WHITE SOCIOLOGY* (Joyce A. Ladner ed., 1973).

⁴⁴ See LINDA TUHIWAI SMITH, *DECOLONIZING METHODOLOGIES: RESEARCH AND INDIGENOUS PEOPLES* 9 (1999) (“The second part of the book examines the different approaches and methodologies that are being developed to ensure that research with indigenous peoples can be more respectful, ethical, sympathetic and useful.”); *RACE AND ETHNICITY IN RESEARCH METHODS* 3 (John H. Stanfield II & Rutledge M. Dennis eds., 1993) (“[Stanfield] organized the present volume three years ago in an effort to encourage race and ethnic studies researchers in American social sciences to think critically in epistemological and theoretical veins about methodologies.”); *RESEARCHING RACE AND RACISM* 10 (Martin Bulmer & John Solomos eds., 2004) (“In thinking about putting this edited collection together, we wanted to allow space for a wide range of theoretical perspectives and methodologies.”); France Winddance Twine, *Racial Ideologies and Racial Methodologies*, in *RACING RESEARCH, RESEARCHING RACE: METHODOLOGICAL DILEMMAS IN CRITICAL RACE STUDIES* 1, 26–27 (France Winddance Twine & Jonathan W. Warren eds., 2000) (“I commissioned the chapters in this volume in order to advance theoretical debates in qualitative research methods scholarship about the particular dilemmas racial ideologies and racialized fields generate for researchers. . . . Furthermore, I wanted to integrate the concerns of research methodologists and critical race theorists in a single book.”); Zuberi & Bonilla-Silva, *Telling the Real Tale*, *supra* note 6, at 329 (stating that “[o]ur specific intent in this chapter is to spark new thinking on methods so as to turn the sociological tables on the sociology that made us, people of color, into a problem”).

⁴⁵ See William Darity, Jr., *Stratification Economics: The Role of Intergroup Inequality*, 29 J. ECON. & FIN. 144, 144 (2005) (proposing that “the emergence of stratification economics constitutes a systematic and empirically grounded . . . alternative to the conventional wisdom on intergroup disparity”); William Darity, Jr., *Stratification Economics: Context Versus Culture and the Reparations Controversy*, 57 U. KAN. L. REV. 795 (2009); James B. Stewart, *Economics, Stratification*, in 2 INTERNATIONAL ENCYCLOPEDIA OF THE SOCIAL SCIENCES 530, 530–31 (William A. Darity, Jr. ed., 2d ed. 2008) (noting that theoretical stratification economics challenges the scientific claims of the social sciences, and surmising that further challenges will arise as the discipline evolves).

liberation sociology,⁴⁶ Black feminist thought,⁴⁷ racial critical theory,⁴⁸ and racial formation.⁴⁹ These perspectives share a view that modern society must be understood in a broader context than that established by the acceptance of traditional explanations. The point here is to show that CRT developed alongside similar “struggles over the terms by which racial power would be understood and contested in a post-reform institutional setting” in the social sciences.⁵⁰

The CRT movement, then, is part of a general movement against racial power. Specifically, prior to the CRT movement America experienced the African-American Studies Movement in the 1960s and 1970s.

During this period of great social transformation, social theorists began to reconsider the implications of the politics of race and gender at both the national and international levels. African Diaspora scholars had long held that only by understanding decolonization and deracialization could one understand the development of capitalism and modern society.⁵¹ The rise of nationalist movements internationally and within the United States itself changed the way many scholars viewed social science. In the classic *Black Power: The Politics of Liberation in America*, Kwame Ture and Charles V. Hamilton argued that:

Black people must redefine themselves, and only *they* can do that. Throughout this country, vast segments of the black communities are beginning to recognize the need to assert their own definitions, to reclaim their history, their culture; to create their own sense of community and togetherness. There is a growing resentment of the word “Negro,” for example, because this term is the invention of

⁴⁶ See JOE R. FEAGIN & HERNÁN VERA, *LIBERATION SOCIOLOGY*, at viii–ix, 3 (2d ed. 2008) (discussing how sociological theories and sociology are taught and describing the theoretical frameworks on which social theorists focus).

⁴⁷ See COLLINS, *supra* note 7, at xii–xiii (stating an intention to examine Black women’s experiences and ideas).

⁴⁸ See DAVID THEO GOLDBERG, *THE RACIAL STATE* 1–2 (2002) (describing the state of race theory as “awfully weary” and suggesting that “[t]he modern state . . . is a state or set of conditions that assumes varied racially conceived character in difference sociospecific milieus”); *RACE CRITICAL THEORIES: TEXT AND CONTEXT* 1 (Philomena Essed & David Theo Goldberg eds., 2002) (stating that the book “brings together a range of influential theorists of race and racism in the critical tradition over the past twenty years”).

⁴⁹ See MICHAEL OMI & HOWARD WINANT, *RACIAL FORMATION IN THE UNITED STATES: FROM THE 1960S TO THE 1990S*, at 1 (2d ed. 1994) (criticizing the notion that the United States is a “color-blind society”).

⁵⁰ Crenshaw, *Twenty Years*, *supra* note 4, at 1286.

⁵¹ See, e.g., DU BOIS, *BLACK RECONSTRUCTION*, *supra* note 9, at 3–16 (recounting the role of slavery in U.S. commerce, describing the exploitation of Black workers, and noting that “the [B]lack worker . . . [was the] founding stone of a new economic system in the nineteenth century and for the modern world”); see also COX, *supra* note 31, at 321–22 (observing that European prejudice toward and commercial exploitation of peoples developed with the rise of capitalism and nationalism, and that racial antagonism traces to the policies and attitudes of White Europeans and North Americans, the leading proponents of capitalism).

our oppressor; it is *his* image of us that he describes. Many blacks are now calling themselves African-Americans, Afro-Americans or black people because that is *our* image to ourselves.⁵²

Many scholars likewise created a new image of themselves and their place in society. The rejection of Eurocentrism resulted in an effort to foster a new discourse, and, in this way, the successes of the Black Studies Movement went beyond the experiences of African Americans.⁵³ In fact, the Black Studies Movement was followed by the creation of Women's Studies, Hispanic Studies, Asian-American Studies, Native-American Studies, and, more recently, Queer Studies. It is important that this process was replicated in terms of "subsequent formations such as LatCrit [and] QueerCrit, [which] are turns, spinoffs or splinterings of CRT."⁵⁴

The CRT movement is an important part of the efforts for racial redemption. It offers a unique opportunity to challenge the White logic that is the basis of the social sciences, and it is rooted in an epistemology of liberation.⁵⁵ CRT has contributed to this new epistemology by articulating the contours of racial power, undermining the logic of the post-racial reality.

Such a perspective has to begin with recognizing class and race as dialectical. Stuart Hall suggests a "non-reductive approach to questions concerning the inter-relationship between class and race."⁵⁶ By not reducing the problem to a single determining articulation of oppression—class or race—we avoid making circular and dogmatic arguments. To

⁵² TURE & HAMILTON, *supra* note 33, at 37.

⁵³ The Black Studies Movement in the United States represents an intellectual response to the assimilationist tradition in Eurocentric scholarship. The Black Studies Movement is part of the Black Power Movement. As Maulana Karenga observes in his popular *Introduction to Black Studies*, "Black Studies is rooted in the social visions and struggles of the 60s which aimed at Black power, liberation and a higher level of human life and thus from its inception, it has had both an academic and social thrust and mission." MAULANA KARENGA, *INTRODUCTION TO BLACK STUDIES* 3 (2d ed. 1993). Black Studies seeks to critically challenge the Eurocentric domination of scholarship and to forge a new intellectual discourse regarding human life. See *id.* at 21 ("Black Studies challenges both the cultural content of what is called western and the definition itself, arguing for a multicultural interpretation of the western hemisphere rather than a Eurocentric one.").

⁵⁴ Crenshaw, *Twenty Years*, *supra* note 4, at 1300.

⁵⁵ See FEAGIN & VERA, *supra* note 46, at 36 ("Liberation sociology seeks to stimulate debate in the field of sociology [It] can provide probing research that supports the struggles of the oppressed against classist, racist, sexist, heterosexist, and other authoritarian types of oppression."); Bonilla-Silva & Zuberi, *Toward a Definition*, *supra* note 7, at 15–20 (identifying four fundamental problems that White logic and White methods pose for sociology and its practitioners, especially in contemporary sociology); Paula M.L. Moya, *Postmodernism, "Realism," and the Politics of Identity: Cherié Moraga and Chicana Feminism*, in *FEMINIST GENEALOGIES, COLONIAL LEGACIES, DEMOCRATIC FUTURES* 125, 136–41 (M. Jacqui Alexander & Chandra Talpade Mohanty eds., 1997) (articulating a "realist account of Chicana identity that theorizes the linkages between social location, experience, epistemic privilege, and cultural identity").

⁵⁶ Stuart Hall, *Gramsci's Relevance for the Study of Race and Ethnicity*, 10 J. COMM. INQUIRY 5, 24 (1986).

view the problem from a purely class perspective limits our ability to understand the dynamics of race.⁵⁷ Likewise, by viewing the problem from a perspective that privileges race over class, we enter into what Cornel West calls the “pitfalls of racial reasoning.”⁵⁸ Long ago, this perspective successfully engaged culture-of-poverty arguments; however, these arguments have resurfaced.⁵⁹

IV. TOWARD A CRITIQUE OF THE POST-RACIAL BLINDNESS

The Civil Rights Movement sought racial progress using the law as the basis of its protest.⁶⁰ This tendency was also reflected in certain elements of the Black Power Movement that witnessed the Black Panther Party’s use of the legal code to justify many of its actions.⁶¹ It is in fact this dimension of the Civil Rights Movement that may account for Crenshaw’s origin narrative of CRT as an intellectual movement. CRT arrives at the moment in which there is a great need for a more critical stance toward the discourse around the rule of the law and the place of race in the fight for social justice.⁶² The post-racial rhetoric of this moment serves as a powerful mask over the racial realities that persist. As Eduardo Bonilla-Silva notes, “[n]owadays, except for members of white supremacist organizations, few whites in the United States claim to be ‘racist.’”⁶³ The companion colorblind rhetoric is in fact a form of racism that had facilitated the re-articulation of once-defeated justification for racial stratification as a statement in support of social justice. The co-optation by

⁵⁷ See Candace West & Sarah Fenstermaker, *Power, Inequality, and the Accomplishment of Gender: An Ethnomethodological View*, in *THEORY ON GENDER/FEMINISM ON THEORY* 151, 154–55 (Paula England ed., 1993) (noting that, in regard to gender studies, “empirical descriptions of the ‘male role’ and ‘female role’ have tended to treat [W]hite middle-class persons’ experiences as prototypical, relegating departures from these prototypes to the status of deviant cases,” which “reduce[s] the explanatory utility of this approach in accounting for the diversity of gender relations across different groups”).

⁵⁸ See CORNEL WEST, *RACE MATTERS* 35–49 (1993) (criticizing the appointment of Clarence Thomas to the Supreme Court because his race was emphasized before his qualifications, and noting that Black leaders are caught in a framework of racial reasoning that does not allow them to directly address manipulative language).

⁵⁹ See Mario Luis Small et al., *Reconsidering Culture and Poverty*, *ANNALS AM. ACAD. POL. & SOC. SCI.*, May 2010, at 6, 23 (acknowledging the “importance of macrostructural conditions, such as the concentration of wealth and income[] [and] the spatial segregation across classes and racial groups” in explaining the “reproduction of poverty”).

⁶⁰ ALDON D. MORRIS, *THE ORIGINS OF THE CIVIL RIGHTS MOVEMENT: BLACK COMMUNITIES ORGANIZING FOR CHANGE*, at xi (1984).

⁶¹ See HUEY P. NEWTON, *REVOLUTIONARY SUICIDE* 114–15 (1973) (discussing how the Black Panther Party used the law to support its community and arm its patrols).

⁶² See Crenshaw, *Twenty Years*, *supra* note 4, at 1288 (describing academic works that had significant foundational influences on Critical Race Theory and observing that “[Critical Race Theory] emerged not only as a critical intervention in a particular institutional contestation over race but also as a race intervention in a critical space”).

⁶³ EDUARDO BONILLA-SILVA, *RACISM WITHOUT RACISTS: COLOR-BLIND RACISM AND THE PERSISTENCE OF RACIAL INEQUALITY IN THE UNITED STATES* 1 (2003).

the right wing in the words of Dr. Martin Luther King, Jr. is only one example of this trend.⁶⁴

The “conservative project of associating colorblindness with racial enlightenment and racial justice advocacy with grievance politics”⁶⁵ is a blatant right-wing move, however, the so-called “universal programs” and “universal politics” advocated by liberals and many progressives alike are equally conservative.⁶⁶ A more radical perspective views race as a problem to be overcome. From this point of view, consciousness of race is necessary. This consciousness is fundamental in order to arrive at racial change. The elimination of racial consciousness should be accompanied by the abolishment of racial discrimination, exclusion, and domination. How this process is articulated in different fields of study, however, is determined by the specific dynamics within that discipline. Crenshaw aptly describes the struggle with Critical Legal Studies and Feminist Critical Legal Studies to maintain a kind of racial consciousness in law that gave birth to the CRT movement.⁶⁷ The twenty-four people who were attending the foundational CRT workshop were by definition the individuals who defined a kind of racial consciousness as a necessary element in fostering and understanding the contested position of those in power with racialized minorities in a position of subjugation.⁶⁸

In the general context, critical race research is based on the epistemology of racial emancipation and examines the practices of racial power and works towards the elimination of the effects of White supremacy.⁶⁹ As part of this kind of research the critical race perspective is informed by the experiences of the many racialized groups in the world suffering from the various forms of white supremacy. CRT, along with the like-minded critical theorists of race in sociology, is in *solidarity* in its aspirations for social justice of oppressed people everywhere. The CRT movement is also in solidarity with the aspirations of human rights and social justice. What we have called the epistemology of racial emancipation elsewhere is not subsumed by the universal projects of human rights, world citizenship, or class equality, but seeks to elevate these projects beyond some of their historically based limitations.⁷⁰ In

⁶⁴ For more examples of these frames of colorblind racism, see *id.*, at 25–52.

⁶⁵ See Crenshaw, *Twenty Years*, *supra* note 4, at 1315.

⁶⁶ See William Julius Wilson, *The New Social Inequality and Affirmative Opportunity*, in *THE NEW MAJORITY: TOWARD A POPULAR PROGRESSIVE POLITICS* 57, 74–75 (Theda Skocpol & Stanley B. Greenberg eds., 1997) (advocating for new, universal social programs that address racial inequality).

⁶⁷ See Crenshaw, *Twenty Years*, *supra* note 4, at 1289–91 (describing the struggle over race in Critical Legal Studies and the eventual conscious emergence of Critical Race Theory).

⁶⁸ See *id.* at 1262–64 (describing the unifying characteristics of the individuals who attended the first Critical Race Theory workshop).

⁶⁹ See Zuberi & Bonilla-Silva, *Telling the Real Tale*, *supra* note 6, at 335–39.

⁷⁰ See *id.* at 330–35 (describing the features of the epistemology of racial liberation and expressing support for the acceptance of group differences to encourage universal participation in social and political institutions). For examples of the social science research that has attempted this,

effect, most critical theorists of race in sociology would agree wholeheartedly with Crenshaw's critical assessment of Barack Obama's *A More Perfect Union* speech as a "post-racialist gloss on colorblindness."⁷¹ The social reality of the persistence of poverty, violence in the inner city, the unprecedented high Black and Brown unemployment rates, the staggering rates of incarceration, the deals with the rich and powerful, and the failure to represent the interests of the poor and colored who voted in unprecedented numbers is an indication that colorblindness is just that, blind to the realities of "minority rights" and in solidarity with elite power.

Critical social scientists on racial matters provide data, arguments, counter-narratives, and all sorts of intellectual ammunition against dominant representations of racial groups and racial inequality. I have suggested above that the legacy and history of their research, which goes back as far as Du Bois's *The Philadelphia Negro*,⁷² continues today as political scientists, economists, sociologists, and anthropologists attempt to engage their disciplines in a way similar to that which can be seen in the CRT movement in law.⁷³ To accomplish this task, critical social scientists have been race-conscious and engaged in a systematic analysis of racial stratification and its effects.⁷⁴ An academically neutral or even liberal sociologist cannot adequately do the job.⁷⁵ Legal efforts to unmask the ways in which racism stifles the chances of people of color finds its articulation in the CRT movement. In sociology, the movement led to the formation of the Association of Black Sociologists and the Society for the Study of Social Problems. In political science, it led to the National Conference of Black Political Scientists. In economics, it led to the formation of the National Economic Association. In anthropology, it led to the Association of Black Anthropologists.

I have not attempted to be encyclopedic or panoramic in the empirical presentation of this paper. Rather, the examples I have used are

see ERNESTO LACLAU & CHANTAL MOUFFE, *HEGEMONY AND SOCIALIST STRATEGY: TOWARDS A RADICAL DEMOCRATIC POLITICS* 3–5 (Winston Moore & Paul Cammack trans., 1985); MARK Q. SAWYER, *RACIAL POLITICS IN POST-REVOLUTIONARY CUBA*, at xvii–xix (2006); GERHARD SCHUTTE, *WHAT RACISTS BELIEVE: RACE RELATIONS IN SOUTH AFRICA AND THE UNITED STATES* 1, 5–10 (1995); IRIS MARION YOUNG, *JUSTICE AND THE POLITICS OF DIFFERENCE* 8, 10–13 (1990).

⁷¹ Crenshaw, *Twenty Years*, *supra* note 4, at 1324.

⁷² W.E.B. DU BOIS, *The Philadelphia Negro: A Social Study*, in PUBLICATIONS OF THE UNIVERSITY OF PENNSYLVANIA: SERIES IN POLITICAL ECONOMY AND PUBLIC LAW (1899).

⁷³ Crenshaw, *Twenty Years*, *supra* note 4, at 1256–57 & nn.3–7.

⁷⁴ See Jerry Kang, *Trojan Horses of Race*, 118 HARV. L. REV. 1489, 1591–92 (2005) (“[L]egal analysts, social cognitionists . . . evolutionary psychologists, neurobiologists, computer scientists, political scientists, and behavioral (law and) economists cooperate to deepen our understanding of human behavior generally and racial mechanics specifically, with an eye toward practical solutions.”).

⁷⁵ See, e.g., W.E.B. Du Bois, *Sociology Hesitant*, BOUNDARY 2, Fall 2000, at 37, 42 (noting the shortcomings of the liberal sociological discipline with respect to the study of human actions and that social scientists should not hesitate to seek social transformation as a consequence of their social findings); Zuberi & Bonilla-Silva, *Telling the Real Tale*, *supra* note 6, at 329, 331 (noting the criticisms and shortcomings of the “sociology of race relations” (internal quotation marks omitted)).

illustrative. A true, critical social scientist necessarily investigates human experience within the broader context of world society.⁷⁶ Such a perspective attempts to help us develop a true critical human science. In this way, social sciences are part of what Crenshaw refers to as “uncovering the epistemic foundations of white supremacy as well as the habits of disciplinary thought that cabin competing paradigms through colorblind conventions.”⁷⁷

To conclude, then, CRT sets out to change the social world. It is a challenge across “disciplinary silos to fashion a more integrated and common sense account of how race shapes social life.”⁷⁸ Consequently, a true critical theory of race requires that we disarrange the current social order and challenge the terms and language in which this reality is described. The social and economic realities of race must be changed by our actions. Mutual understanding or the development of friendships across racial groups cannot change racial realities; the erasure of humanity that race has brought to bear cannot be clearly understood except in the exact measure in which we engaged in social activity to transform its social basis. CRT is the process by which two forces, which are by definition opposed to each other, culminate in the re-articulation of what it means to be human.⁷⁹

The CRT movement in law reaffirms that a truly critical racial theory requires theorists to participate in the modification of social reality. This tradition of collaboration allowed social scientists to support the U.S. Supreme Court’s decision in *Brown v. Board of Education*.⁸⁰ Crenshaw’s broader perspective calls for a leftist critique that works within and across disciplinary boundaries while molding a new consensus around racial justice and human equality.⁸¹ Her perspective privileges the *human* over the *racialized individual* and the discipline in which the researcher works.⁸² CRT in law has taken a tremendous step forward through its recognition as a movement, as well as through the collaboration of likeminded individuals

⁷⁶ See, e.g., W.E.B. DU BOIS, *BLACK FOLK, THEN AND NOW: AN ESSAY IN THE HISTORY AND SOCIOLOGY OF THE NEGRO RACE*, at vii-ix (H. Holt & Co. 1939) (stating that “I have for the last six years interested myself in trying to promote an Encyclopaedia [sic] of the Negro; an effort to ascertain and publish the verifiable history and social condition of the Negro race, according to the best scholarship of the world, regardless of race, nation or color”).

⁷⁷ Crenshaw, *Twenty Years*, *supra* note 4, at 1347.

⁷⁸ *Id.* at 1348–49 (quoting Letter from Claude Steele and Kimberlé Williams Crenshaw (May 7, 2009)).

⁷⁹ See *supra* notes 10–15 and accompanying text.

⁸⁰ 347 U.S. 483 (1954).

⁸¹ See Crenshaw, *Twenty Years*, *supra* note 4, at 1262 (“The opportunity presented now is for scholars across . . . disciplines not only to reveal how disciplinary conventions themselves constitute racial power, but also to provide an inventory of the critical tools developed over time to weaken and potentially dismantle them.”).

⁸² See *id.* at 1261 (stating that “CRT is not so much an intellectual unit filled with natural stuff—theories, themes, practices and the like—but one that is dynamically constituted by a series of contestations and convergences pertaining to the ways that racial power is understood”).

and traditions of other disciplines.⁸³ This new self-conscious action could lead to a type of socially engaging scholarship.

⁸³ See *id.* at 1299 (“That opportunity finally came when a critical mass of minority scholars who had been active in CLS came together for an extended time period at the University of Wisconsin. . . . With the alignment of a working concept and institutional resources, the first CRT Workshop became a reality.”).

